

## COURT RULING TO AID MORGAN APPRAISAL

Value of Good Will Determined by Book Value, Said Court of Appeals in Rees Case.

### PERSONALITY A FACTOR

Estate of Isidor Straus Affected, and Counsel for the State Controller Looks for Increase in Executors' Valuation.

Thomas E. Rush, attorney for the State Controller, expressed the opinion yesterday that a recent decision by the Court of Appeals would facilitate the work of appraising the estate of J. Pierpont Morgan. This decision was handed down in the matter of the appraisal of the estate of Norman I. Rees and cleared up a perplexing point as to the method by which the value of the good will of a business might be reached.

The Court of Appeals sustained the contention of the State Controller that the value of the good will of a company is to be determined by the book value of such company and not by the market value of some of the shares of stock of the company. The court upholds the theory that an important factor is the loss of the personality of the man whose estate is to be appraised and also that the value of the good will must be fixed according to the profits of the business.

Mr. Rush said: "This matter is of the utmost importance because up to this time in the case of the estate of every man of large business affairs we have always been confronted with a dispute as to the proper basis upon which the valuation of the business and the good will should be computed."

Mr. Rush believed that the most difficult question to be determined in the appraisal of the estate of Mr. Morgan involved the good will of J. P. Morgan & Co. While the decision of the Court of Appeals in the Rees case makes it necessary to reach a value by the profits as shown by the book value, at the same time, in effect, it provides that an amount commensurate with the estimated value of the importance of Mr. Morgan's personality in his banking firm must be deducted from the estimated book value.

Mr. Rees was president of Hans Rees & Sons, Inc., hide and leather merchants. He left an estate valued at \$94,553. His largest holding was 5,333 shares of his company's stock. The executor under Mr. Rees's will contended that the stock was worth not more than \$50 a share. One expert placed a value of only \$38 on a share, while another said \$65 to \$70 would be a high valuation. An expert for the State Controller who examined the books of the company said he thought the stock should be valued at \$120 a share. He later reduced his valuation to \$90. The transfer tax appraiser taxed the interest of Mr. Rees in his company at \$769,265. The admitted market value was \$625,210. The appraiser deducted \$5 on each share on account of the loss of Mr. Rees's personality in the business.

The decision of the highest court of the state will have an effect on the appraisal of the estate of Isidor Straus, who was a member of R. H. Macy & Co. The larger portion of his estate is understood to be represented by his interest in this concern. The proceedings for the appraisal of the estate of Mr. Straus have been delayed by the question of the value of the good will of the business. With the decision of the Court of Appeals favoring his contention, Mr. Rush thinks that the appraisal of the interest of Mr. Straus in R. H. Macy & Co. will be larger than the valuation placed on it by the executors.

**AUTO LAMP MAKERS OUT**  
**Strike Affects Several Large City Manufacturers.**

A general strike of automobile lamp-makers, the first strike in this trade in this city, was reported yesterday by the strike leaders, to enforce demands which have been made for a shorter workday and a new wage scale. The strike is under the direction of the Auto Sheet Metal Workers' Union No. 137 and the United Heliograph Trades.

The firms affected by the strike are the Auto Lamp Company, No. 40 East 13th street; the Columbia, No. 243 West 4th street; the American Company, No. 223 West 4th street; the Lenox Company, 6th street and Seventh avenue, and the New York Coach Company, 53d street and Eighth avenue. The latter two firms have granted the demands and their striking employees will return to work to-day.

**SAVED FROM "DEVIL'S BALL"**  
**Clerk Who Left Ragtime Message Fails in Attempt at Suicide.**

Giving what he thought would be a cordial touch to his first message, in which he told his friends, "I must go to the devil's ball," Samuel Goldstein, twenty-one years old, a clerk, who had been out of work and was despondent, attempted suicide by turning on the gas jet in his bedroom at No. 211 East 14th street, and is now a prisoner in Bellevue Hospital, where he was taken early yesterday morning. He will recover.

Patrolmen Henne and Moran, of the East 23d street police station, after working over the young man for some time succeeded in bringing him to consciousness. They thought he had been accidentally overcome until their eyes lighted upon a note which was pinned on the wall and read as follows:

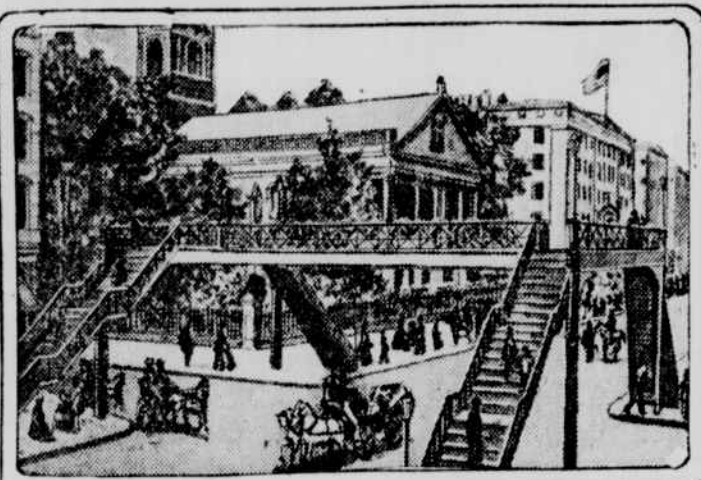
"Goodby, my dear friends—Joe and all the friends I know. My friends, please forgive me, because I must go to the devil's ball. Because that's where I can be happy as you could be here. So goodby, dear friends, and forgive me all, because you can never see me any more."

**CO-ED BAN AT MANN SCHOOL**  
**Trustees to Establish Boys in New Buildings Near Van Cortlandt Park.**

After years of experiment the authorities at the Horace Mann School have decided to abandon co-education. For a long time this school stood pre-eminent among co-educational institutions for young girls and boys, and the change is regarded as a surprise.

The first definite step in effecting this change was made at a meeting of the trustees of Teachers College last week, at which \$100,000 was voted toward the necessary expense of erecting new buildings on the property which was acquired some time ago by the school opposite Van Cortlandt Park. The plans provide for a school building of the most approved type and an apartment house or dormitory for teachers and their families. It is estimated that the cost of erecting these buildings will be \$250,000, leaving \$75,000 to be raised by subscriptions.

OLD NEW YORK NOW PASSING AND NEW NEW YORK RISING.  
The Astor House, soon to be demolished, outlined against the mighty shaft of the Woolworth Building. In the upper corner a picture of the old Fulton street bridge, which was erected for the convenience of pedestrians who feared the traffic on Broadway. The Astor House is seen just above St. Paul's Church.



## BOY HANGS SELF BY SCARF

Youngster of 14 Grieved Over Mother's Death.

Medford, Mass., May 4.—Herbert W. Joyce, fourteen years old, committed suicide to-day by strangling himself with a necktie. He fastened the scarf to the head of the bed, tied it around his neck and threw his weight against it.

The boy had been in poor health since the death of his mother recently.

## SUICIDE IN ANIMAL PARK

Young Man's Body, with Throat Cut, Found in Bushes.

The body of a well dressed young man, who had cut his throat with a razor, was found in a clump of bushes in the New York Zoological Park yesterday by Henry Moock, a keeper at the park. An envelope of the Zoological Society was found on the body. It was addressed to the Russian Consulate in this city. The letter was sealed and it will be turned over to the Consulate here by the Coroner.

The young man prepared himself for death by removing his overcoat and coat and rolling up his sleeves. His collar and tie had been removed, and his hat was on top of his coats, which were neatly folded up. The razor was lying beside the body.

The suicide was about twenty-two years old, about five feet seven inches tall, with dark hair and blue eyes. The body was taken to the Morgue and will be kept there until the Russian Consul is heard from.

## HELD ON "SLAVE" CHARGE

Young South American Accused of Trying to Sell Girl.

Francisco de Tibaldi, arrested on Saturday night for trying to sell Susie Glenn, seventeen years old, of No. 410 East 163d street, to Y. S. Katagiri, a Japanese tea merchant, was arraigned before Magistrate Marsh, in the Morrisania court, yesterday, and held without bail for examination to-morrow morning on a charge of abduction.

When a note found in the girl's purse and supposed to have been written by De Tibaldi was produced in court the South American faints. It read:

"Don't betray me. I won't hurt you. I shall be a wedding gift to him. Stick to the last. I love you all; I love a few, a few is one and that one is you."

De Tibaldi described himself at the time of his arrest as the son of an Argentine planter, with a home at No. 63 West 96th street. The Japanese told the police that the South American had induced the girl to live with him for a while and had then offered to sell her to the tea merchant. Katagiri tipped off the police, and three detectives were on hand when the "sale" was consummated with marked bills to the amount of \$2,050.

When Katagiri reached his home, at No. 255 East 57th street, last night, after handing over all the evidence in his possession to the police, there was a deep cut over his left eye and his clothes looked as if he had received rough treatment. He told Dr. Rudolph Mannhardt, of the same address, who took eight stitches in his wound, that he had received it from a fall in the street.

Several who saw the Japanese said the cut must have come from a sharp instrument. Katagiri belongs to the firm of Katagiri Brothers, Importers, at No. 24 East 96th street.

## "BOUNCING BILL" IS BUSY CHASING "BUGS"

"Shock Absorber" at Door of Whitman's Office Has Hands Full "Shooting" Mentally Upset Who Seek Help.

The mania which drives those mentally unbalanced to seek out men in public office made life miserable last week for "Bouncing Bill" Cowans, who until Friday was "shock absorber" at the door of District Attorney Whitman's office.

"Bouncing Bill" now has a new job as court attendant in General Sessions. In fact, he was known as the "bug chaser," and last week he had on his hands no less than five important lunatics, who demanded immediate audience with the District Attorney.

Three of the visitors were well dressed women, whose appearance would gain them immediate admittance to almost any office. Two of them, however, were recognized as regular visitors, and they had to be content with pouring stories two hours long into the not too sympathetic ear of "Bouncing Bill." The third was a man, who was recognized as a friend of the office of Leopold Leo and Angelo Bozzo, of the complaint bureau. She was a stranger and might be merely peculiar for all "Bouncing Bill" knew.

Mr. Bozzo and Mr. Leo also saw the man. One of them was humored and turned loose. The second was committed to Bellevue.

**Fears Italian Black Handers.**  
The stories told by the middle aged and well bred appearing women were the same, with few variations, that they have been telling to "bug chasers" at the District Attorney's office and perhaps elsewhere for months, if not years.

The first was continually annoyed by Italians, who wanted to blow her up. If she went out shopping she was likely to find two or three Italians with smoking bombs in their laps waiting in her reception room when she returned. The police would do nothing for her. It was high time something was done, so she came to the District Attorney.

The second, who was dressed in silk and wore considerable jewelry, announced that murderers would have to stop burying their victims in her front yard, up in City Island. Moreover, her neighbors blew cocaine into her windows in a most disconcerting way. If the wind was in the south her southern neighbor got busy with the cocaine, and so on all around the compass. The wind could find no quarter where there was not a neighbor armed with cocaine. If the District Attorney did not take the matter up she was going to the federal authorities and then it would be too late.

The third woman, who saw Mr. Leo and Mr. Bozzo, wanted to know if there was not some law which would compel her husband to cease avoiding her society. It had got so that he went to the most extreme measures. He never came in until she had gone to bed, and then he laid a compelling finger upon her shoulder. At the touch her body flew into fragments and rose to the ceiling, clinging there in sections.

The last thing before he went to work in the morning her husband sought out her shoulder, and, climbing on to a chair, touched it with his finger. Immediately her body reassembled and her ears caught the clamor of the closing front door. She was assured that the statutes would be examined to find the section which fitted her case and went away satisfied.

**Seeks His Old Classmate.**  
The man whom Mr. Bozzo had committed to Bellevue's psychopathic ward wanted to see "Charlie" Whitman, who was a classmate of his. Emperor William was another classmate, but he wanted to see "Charlie" first. Expanding under the leading questions put by Mr. Bozzo, the man told of his friendship with financiers and thought it were yesterday his meeting with E. H. Harriman in the "Mutterers' Cafe," at Second avenue and 14th street. He had given Mr. Harriman much sound advice then; he was a good sort and willing to help anybody.

Mr. Harriman wanted to know whether it was better to repair a railroad as soon as you bought it or wait till later," he said, "and I said immediately by all means, and told him where he could buy some iron."

The second man was a dreamy individual, who wanted to bring suit against a man whose daughter had married some one else. He and the man he sought to sue had lived in the same town in the old country. The one was a poor cobbler and the other was the rich man of the town. In fairy tales the rich man's daughter married the poor cobbler (the complaint volume brought forth a tattered established, yesterday when the elder brother of John asked Magistrate Kernochan to send the man to Bellevue Hospital for observation. The court refused, but advised him to consult a physician.

The older brother had testified that when John was in a somnambulistic condition his peaceful nature changed and he became pugnacious. As Exhibit A John's brother displayed a bruised face, John, meek and hanging his head, said little until advised to see a doctor. Then he spoke up and said he had a hearty appetite, and could not explain his weekly feat of walking in his sleep unless it was that every Friday night he ate clam chowder.

## ASTOR HOUSE HUSHED AS LAST LOOKS ARE TAKEN

Scores of Visitors Gently Tread Its Corridors and Servants Go About in Gloom.

### SAD DAY FOR EMPLOYEES

"Eddie," "Mike," "Al" and "Captain Jim" Carson, Fixtures to Patrons, Shake Their Heads in Silence.

The black and white marble tiled corridors of the Astor House vibrated softly beneath the tread of scores of visitors, who came to take a farewell look yesterday. The announcement made Saturday that the doors, closed only once during the seventy-seven years of the hotel's existence as a public house, would be barred permanently after May 29, attracted many for whom the place had a sentimental interest.

The wonted calm of the Astor House seemed yesterday to have deepened into gloom. Servants and employees went about their duties with little animation; visitors tiptoed along the halls speaking in whispers as they peered into the dining halls and sitting rooms, where three generations had sought refreshment and rest.

There was a probability, it was said, of prolonged negotiations between the Astor estate and the Public Service Commission before satisfactory arrangements for running the subway under the southeast corner of the structure were made.

The doors of the building were thrown open to the public June 1, 1836. They will be shut forever just two days less than seventy-seven years from that date.

Probably none of the thousands of patrons of the famous lunch counters in the rotunda feel regret at its passing as keenly as the men who have waited on them for years. Hardly one of these employees has less than a quarter of a century of service, and to many they are fixtures as permanent as the old iron staircases. It will be a sad day for "Eddie," "Mike," "Al" and "Captain Jim" Carson when they hang up their aprons for the last time.

The oldest of the Astor House servants is Albert C. Kaufman. It will be just forty-four years in November since he came to the Astor House, a raw German youth. His knowledge of waiting on tables had been acquired during a short term of employment at Bank's restaurant, in Broadway, opposite the postoffice. He has been the head waiter for as many years as the oldest habitué of the Astor House can recall.

"Al" as he is usually called, was indisposed to talk yesterday. Like the other employees, he shook his head when the closing of the famous old house was mentioned. "It's a shame," he said.

It was not long ago, though, that "Al" told of the many famous men to whose gastronomic wants he had ministered. "General Grant," he said on that occasion, "always ate simple food, such as meat and potatoes, and finished his meal by smoking a long black cigar."

He also knew the favorite dishes of Chester A. Arthur, Benjamin Harrison and Grover Cleveland. In fact, many of his regular patrons merely said when he approached their table: "Bring me something to eat."

Besides bankers and hosts of other leaders in the business world who lunched daily at the Astor House, "Al" has served almost every Mayor of the city for the last forty years.

Sixty years ago the rotunda was an open garden, laid out with flower bordered walks which surrounded a fountain, but had the area not been roofed over the Astor House might not have obtained the fame which it enjoys to-day. Beneath its arched roof were served meals which attracted from far and near those desirous of good food. The highest priced of these cigars were tagged at \$15 each.

"Do you ever sell any of them?" a visitor once asked, pointing to the thirty-inch Havanas reposing in individual cedar cases. "Not many since Ted Sloan went abroad," he was told. "When he did not smoke them he used them for walking sticks."

The scene surrounding the Astor House when the dismantling is begun will differ vastly from the picture presented when the hotel was opened. Where the Woolworth Building now towers a row of worth buildings under a row of pitched roof, three story buildings stood, with shops lining the sidewalk. City Hall Park extended to the point of Park Row and Broadway, now encumbered by the Federal Building, an iron picket fence inclosing a grove of trees.

At the junction of Ann street, Park Row and Broadway, on the site of the present Colonial Trust Company Building, was Barnum's American Museum, four huge posters depicting the wonders to be seen within, covering the Broadway face of the structure. Stages with their destinations labelled conspicuously on their sides plied the routes now covered by the Broadway and Third avenue surface cars.

There is still one possible view of the surroundings which time has not altered. By standing in front of the Park Row Building, closing one eye and placing a hand across the other so that the range of vision between two fingers takes in only the southeast corner of the Astor House and St. Paul's Church, one may imagine he is looking upon the old hotel at the beginning of its career. The trees in the churchyard have been thinned out in the last three-quarters of a century, but a little imagination will produce the effect.

**FIGHTS ON HIS SLEEP JAUNT**  
**Weekly Clam Chowder Makes for Pugnacious Somnambulism.**

Whether it was the clam chowder eaten on Friday night that caused John Dominguez, twenty-two years old, to walk in his sleep once a week, early on Saturday morning, and disturb the peace of his family, or just a matter of habit was not established yesterday when the elder brother of John asked Magistrate Kernochan to send the man to Bellevue Hospital for observation. The court refused, but advised him to consult a physician.

The older brother had testified that when John was in a somnambulistic condition his peaceful nature changed and he became pugnacious. As Exhibit A John's brother displayed a bruised face, John, meek and hanging his head, said little until advised to see a doctor. Then he spoke up and said he had a hearty appetite, and could not explain his weekly feat of walking in his sleep unless it was that every Friday night he ate clam chowder.

**AMUSEMENTS.**  
**FULTON THEATRE** 46 ST., WEST OF BROADWAY.  
Engagement Extended  
Richard Bennett and Co-workers Present  
Damaged Goods  
By Public Demand

**AMUSEMENTS.**  
**THE ASTOR HOUSE**  
Last Looks Are Taken  
Scores of Visitors Gently Tread Its Corridors and Servants Go About in Gloom.

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Registered Trade Mark. Established Half a Century

## May Sale Table Linens

At Greatly Reduced Prices

Substantial and bona fide reductions have been made in Table Cloths and Napkins to match, of all sizes and qualities, in a very wide range of designs.

**Napkins (per dozen)**  
Breakfast size...\$2.25 2.85 3.25 3.50 4.25 5.25 and up  
Dinner size....\$3.25 3.50 4.25 5.00 6.00 8.50 and up

**Table Cloths**  
2x2 yards, at...\$2.25 2.50 2.75 3.50 4.25 4.75 and up  
2x2½ yards, at...\$2.85 3.00 3.50 4.25 5.25 5.50 and up  
2x3 yards, at...\$3.50 3.75 5.00 5.75 6.50 7.00 and up  
2¼x2¼ yards, at...\$3.65 4.50 5.00 5.25 6.00 6.50 and up  
2½x2½ yards, at...\$5.00 5.50 6.00 6.50 7.00 and up

Larger sizes proportionately priced.

The Sale also includes Bed Linens and Bed Coverings, Towels, Corsets, Lingerie, Ladies' Suits, Neckwear, Hosiery, Infants' Wear, etc.

**James McCutcheon & Co.,**  
5th Ave., 33d & 34th Sts.

**AMUSEMENTS.**

**NEW YORK'S LEADING THEATRES**  
**EMPIRE** Broadway & 46th St. Evs. 8:15. Mat. 2:30. "BY ALL MEANS GO AND SEE BILLIE BURKE"—Herald.  
**BILLIE BURKE**  
IN THE AMAZING  
**THE AMAZONS**  
KNICKERBOCKER, Broadway & 38th St. Evs. 8:15. Mat. 2:30. "SEE THE SUNSHINE GIRL"—Cathman.  
**JULIA SANDERSON**  
IN THE SUNSHINE GIRL.  
**LYCEUM** 45 St., nr. B'way. Evs. 8:15. Mat. 2:30. "H. B. WARNER BREAKER."  
**H. B. WARNER**  
**CRITERION** Broadway & 44th St. Evs. 8:15. Mat. 2:30. "THE MASTER MIND."  
**ROBERT HILLIARD**  
**HUDSON** W. 44th St., nr. B'way. Evs. 8:15. Mat. 2:30. "THE POOR LITTLE RICH GIRL."  
**THE MASTER MIND**  
**LIBERTY** W. 42nd St. Evs. 8:15. Mat. 2:30. "The Master Mind."  
**THE PURPLE ROAD**  
**GLOBE** W. 42nd St. Evs. 8:15. Mat. 2:30. "The Master Mind."

**ASTOR** Broadway & 42nd St. Evs. 8:15. Mat. 2:30. "QUO VADIS?"  
**UNION SQ.** Broadway & 14th St. Evs. 8:15. Mat. 2:30. "The Master Mind."  
**COLUMBIA** Broadway & 11th St. Evs. 8:15. Mat. 2:30. "The Master Mind."  
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